

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> <i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i>	Attorney Docket No.	<b>88265-7618</b>	Total Pages	<b>21</b>
	First Named Inventor or Application Identifier			
	<b>Eric T. BEST</b>			
	Express Mail Label No.			

00727 U.S. PTO  
10/7/25/120

120203

<b>APPLICATION ELEMENTS</b> <i>See MPEP chapter 600 concerning utility patent application contents.</i>	<b>ADDRESS TO: MAIL STOP PATENT APPLICATION</b> Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450
------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------

- |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g. PTO/SB/17)<br/><i>(Submit an original and a duplicate for fee processing)</i></p> <p>2. <input type="checkbox"/> Applicant claims small entity status<br/>See 37 CFR 1.27.</p> <p>3. <input checked="" type="checkbox"/> Specification <span style="float: right;">Total Pages <u>18</u></span><br/><i>(preferred arrangement set forth below)</i><br/>         -Descriptive title of the Invention<br/>         -Cross Reference to Related Applications<br/>         -Statement Regarding Fed Sponsored R&amp;D<br/>         -Reference to Sequence Listing, a table, or a computer program listing appendix<br/>         -Background of the Invention<br/>         -Brief Summary of the Invention<br/>         -Brief Description of the Drawings (if filed)<br/>         -Detailed Description<br/>         -Claim(s)<br/>         -Abstract of the Disclosure</p> <p>4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) <span style="float: right;">Total Sheets <u>1</u></span></p> <p>5. Oath or Declaration <span style="float: right;">Total Pages <u>2</u></span><br/>         a. <input checked="" type="checkbox"/> Newly executed (original or copy)<br/>         b. <input type="checkbox"/> Copy from prior application (37 CFR 1.63(d))<br/> <i>(for continuation/divisional with Box 18 completed)</i><br/>         i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b><br/>         Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</p> <p>6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76</p> | <p>7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program <i>(Appendix)</i></p> <p>8. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission <i>(if applicable, all necessary)</i><br/>         a. <input type="checkbox"/> Computer Readable Form (CRF)<br/>         b. Specification Sequence Listing on:<br/>         i. <input type="checkbox"/> CD ROM or CD-R (2 copies); or<br/>         ii. <input type="checkbox"/> Paper<br/>         c. <input type="checkbox"/> Statements verifying identity of above copies.</p> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**ACCOMPANYING APPLICATION PARTS**

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☒ Power of Attorney *(when there is an assignee)*
11. ☐ English Translation Document *(if applicable)*
12. ☒ Information Disclosure Statement (IDS)/PTO-1449  
☒ Copies of non-US Patent Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
*(Should be specifically itemized)*
15. ☐ Certified copy of Priority Document(s)  
*(if foreign priority is claimed)*
16. ☐ Non-publication Request Under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent
17. ☐ Other

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

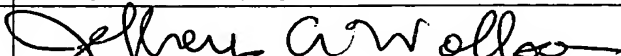
☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application no. \_\_\_\_\_ filed \_\_\_\_\_.

Prior Application Information: Examiner: \_\_\_\_\_ Group Art Unit: \_\_\_\_\_.

The entire disclosure of the prior application(s) noted above, is/are considered a part of the disclosure of the accompanying application and is/are hereby incorporated by reference.

**19. CORRESPONDENCE ADDRESS**

Customer Number or Bar Code		<b>CUSTOMER NO. 28765</b>	
NAME			
ADDRESS			
CITY	STATE	ZIP CODE	
COUNTRY	TELEPHONE	FAX	

Name (Print/Type)	Jeffrey A. Wolfson (Reg. No. 42,234) for Allan A. Fanucci (Reg. No. 30,256)		
Signature		Date	Dec. 2, 2003

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attorney Docket No.: 88265-7618

Sir:

The following utility patent application is enclosed for filing:

Applicant(s): **Eric T. BEST**  
**Darryl R. BARWICK**  
**Lawrence A. KIBLER**

Executed on: **11/11/2003**  
**11/11/2003**  
**11/11/2003**

Title of the Invention: **MELT-RESISTANT FUDGE ARTICLE AND METHODS OF USING SAME**

## PATENT APPLICATION FEE VALUE

TYPE	NO. FILED	LESS	EXTRA	EXTRA RATE	FEE
Total Claims	22	-20	2	\$18.00	\$ 36.00
Independent	3	-3	0	\$86.00	\$ 0.00
Minimum Fee					\$ 770.00
Multiple Dependency Fee If Applicable (\$290.00)					\$ 0.00
<b>Total</b>					\$ 806.00
50% Reduction for independent inventor, nonprofit organization or small business concern (verified statement as to the applicant's status is attached)					-\$ 0.00
<b>TOTAL FILING FEE</b>					<b>\$ 806.00</b>

☒ Please charge the required fees to Winston & Strawn LLP Deposit Account No. 50-1814. A copy of this sheet is attached.

Respectfully submitted,

Dec. 2, 2003  
Date

Jeffrey A. Wolfson  
Jeffrey A. Wolfson (Reg. No. 42,234)  
For: Allan A. Fanucci (Reg. No. 30,256)

**WINSTON & STRAWN LLP**  
**Customer No. 28765**

202-371-5750